

UNITED STATES DISTRICT COURT

United States

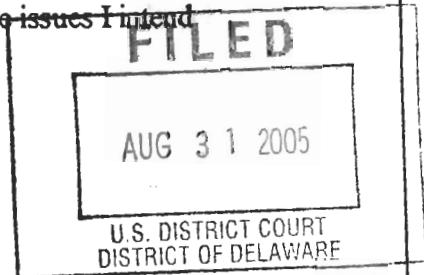
DISTRICT OF

Delaware

David S. Yarnall
v.Cpl. Anthony Mendez ET AL
DELEWARE CASE NUMBER: 05-527 (SLR)APPLICATION TO PROCEED IN
FORMA PAUPERIS, SUPPORTING
DOCUMENTATION AND ORDERI, David S. Yarnall, declare that I am the (check appropriate box) petitioner/plaintiff
 respondent/defendant movant (filing 28 U.S.C. 2255 motion)

other

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:



In further support of this application, I answer the following questions.

1. Are you presently employed? Yes No

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received. April 11th 2005

2. Have you received within the past twelve months any money from any of the following sources?

- | | |
|--|---|
| a. Business, profession or other form of self-employment | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| b. Rent payments, interest or dividends? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| c. Pensions, annuities or life insurance payments? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| d. Gifts or inheritances? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| e. Any other sources? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months.

3. Do you own any cash, or do you have money in checking or savings accounts?

Yes No (Include any funds in prison accounts.)

If the answer is "yes," state the total value of the items owned. 48⁰⁰

4. Do you own or have an interest in any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?

Yes No

If the answer is "yes," describe the property and state its approximate value

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

My Son Cory Yarnall - Child Support \$93.52

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8-26-05
(Date)


Signature of Applicant

CERTIFICATE (Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ _____
on account to his credit at the Sussex Correctional Institution
where he is confined. I further certify that the applicant likewise has the following securities to his credit according to the records of said institution: _____

I further certify that during the last six months the applicant's average balance was \$ _____

(See attached six (6) month statement)

Authorized Officer of Institution

ORDER OF COURT

The application is hereby denied

The application is hereby granted. Let the applicant proceed without prepayment of cost or fees or the necessity of giving Security therefor.

United States Judge

Date

United States Judge
Or Magistrate

Date

CERTIFICATE OF SERVICE

I, David S. Yainou, hereby certify that I have served a true and correct copy of the attached motion upon the following party, on the 22 day of July, 05.

** Circle the Department of Justice you are serving**

Deputy Attorney General
Department of Justice
820 North French Street
Wilmington, DE 19801

Deputy Attorney General
Department of Justice
102 West Water Street
Dover, DE 19901

Deputy Attorney General
Department of Justice
114 East Market Street
Georgetown, DE 19947

7-22-05

Date Signed

D. Yainou
Signature of Movant (Notarization not required)



I/M:DAVIDS YACAVAN 5873 BLDG: 5120
BOSSEK CORRECTIONAL INSTITUTION
P.O. BOX 500
GEORGETOWN, DE 19947
BONNETTOWN COUNTY JAIL
P.O. BOX 24690
FINCASLUE, VA 24690
OFFICE OF THE CLERK

UNITED STATES DISTRICT COURT
844 N. KING ST WORKBOX 18
WILMINGTON DE

19801-3570

19801-3570 Inmate